

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MICHAEL WARE, )  
Plaintiff, )  
v. ) Cause No. 4:11 CV 61 RWS  
MICHAEL J. ASTRUE, )  
Commissioner of Social Security, )  
Defendant. )

**MEMORANDUM AND ORDER**

This matter is before me on a Report and Recommendation that the decision of the Commissioner be affirmed and this case be dismissed. Neither of the parties has filed an objection to this recommendation.

This matter was referred to United States Magistrate Judge Thomas C. Mummert, III for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Mummert issued a Report and Recommendation on November 16, 2011 that recommended that the decision of the Commissioner be affirmed and this case be dismissed. Judge Mummert found that there is substantial evidence in the record to support the decision of the Administrative Law Judge.

Any objections to Judge Mummert's Report and Recommendation had to be filed by November 30, 2011. Neither of the parties has filed an objection as of today's date.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge Mummert is **SUSTAINED, ADOPTED AND INCORPORATED** herein.

The decision of the Commissioner is **AFFIRMED** and this case is **DISMISSED**.



RODNEY W. SIPPEL

UNITED STATES DISTRICT JUDGE

Dated this 2nd day of December, 2011.